

Arizona State Board of Acupuncture Examiners

REGULAR MEETING

August 25, 2004

Board Members Present:

Martha Grout, M.D., Secretary (acting chairman)
Dana Price, L. Ac. Professional Member
Don Nichols, Public Member
Joan Heskett, Public Member
Cesar Quintana, Professional Member (arrived at 1:18)
Yong Deng, L.Ac. Professional Member

Board Members Absent:

Deborah Malone, L.Ac. Chairman

Attorney General Representative:

Dawn Lee, Assistant Attorney General

Administrative Staff:

Allen Imig, Executive Director

I. Call To Order

Acting chairman, Dr. Martha Grout called the meeting to order at 1:12 p.m.

II. Board Meeting Minutes – Review, Discussion and Action

Ms Heskett made a motion to approve the meeting minutes of July 28, 2004. Mr. Nichols seconded the motion. The motion passed unanimously, 5 - 0.

Dr. Grout took agenda item IV ahead of agenda item III, while waiting for a conference call relating to agenda item IV.

III. Complaints/Investigations – Review, Discussion and Action

A. First Time Before the Board

1. Barry Brownstein, L. Ac., Complaint # L – 2004-05

Mr. Brownstein participated by telephone starting at 1:18 p.m. There was discussion that this complaint was a fee dispute and the Board does not have jurisdiction over fee disputes. Mr. Brownstein confirmed that outstanding funds had been refunded to the complainant. Ms. Price made a motion to dismiss the

complaint as a fee dispute. Ms. Heskett seconded the motion. The motion passed unanimously 6 – 0.

2. Brazos Minshew, Complaint # 2005-001

Mr. Minshew was present and addressed the Board. He advised he had been licensed in Texas and then moved to Arizona with another company outside of acupuncture. He does not plan on opening a practice or get licensed here. Mr. Minshew said he had dropped the L.Ac. from his advertisements and website.

Mr. Nichols made a motion to close the case in that Mr. Minshew voluntarily taken the initials, L.Ac. off of his advertisement and website and the Board does not see any reason to take any further action. Ms. Heskett seconded the motion that was passed unanimously 6 – 0.

IV. Consideration of Candidates for Licensure and Certification – Review, Discussion and Action

Mr. Nichols made a motion to approve all the applicants for acupuncture licensure that included: Jing Warner, Amy Wheeler, Paul Levy, Felicity Luckey and Laurie Perez. Mr. Deng seconded the motion. The motion passed unanimously, 5 – 0.

V. Candidates of Candidates for Licensure with Disclosed Conviction – Review, Discussion and Action

Mr. Fishkind was present. Mr. Nichols made a motion to approve Mr. Fishkind for licensure. Ms. Price seconded the motion. The motion passed unanimously, 6 – 0.

VI. Consideration of Program Approval – Review, Discussion and Action

Ruseto College sent additional information so the Board could review for statutory compliance. After review of the material and discussion, the Board found 210 hours in Biomedical training and the law required 360 hours. . Mr. Nichols made a motion to deny approval of Ruseto Colleges acupuncture program. Ms. Price seconded the motion. The motion passed unanimously, 6 – 0.

VII. Candidates for Licensure Previously Before the Board – Review, Discussion and Action

Mr. Campbell was present and addressed the Board. The Board reviewed Mr. Campbell's application. Mr. Campbell had completed the program at Ruseto College and the Board has not approved that program.

Mr. Nichols made a motion to go into executive session. Ms. Price seconded the motion. The motion passed unanimously 6 – 0. Board went into executive session at 2:05 p.m. The Board returned to the regular session at approximately 2:09 p.m.

Ms. Price made a motion to deny licensure to Mr. Campbell because he failed to meet the requirements for licensure. Mr. Nichols seconded the motion. The motion passed unanimously 6 – 0.

VIII. Professional Business – Review, Discussion and Action.

1. The Board discussed the removal of acupuncture needles. The Board felt it needed to be clarified. Our statutes and rules are silent on this matter and should be listed for the legislative committee to discuss.
2. The Board acknowledged the resignation of Board member Syreeta McNeal with great regret. No action was taken.
3. The Board was advised that the Governor had appointed Della Estrada, L.Ac., a professional member. No action was taken.
4. The Board discussed the request for \$160.00 by Assistant Attorney General, Dawn Lee to go to the FARB conference. Ms. Price made a motion to approve the request of \$160.00. Mr. Nichols seconded the motion. The motion passed unanimously 6 – 0.

IX. Legislative Committee Report

There was discussion about when the committee could meet. The committee will find a date to meet and advise the executive director so the meeting can be set up. The Board wanted AAG, Dawn Lee to research to see if a computer chat room would meet the open meeting laws.

X. Executive Director Report

The executive director discussed with the Board the fiscal years 2006 – 2007 budget proposal.

XI. Future Agenda Items

None were discussed.

XII. Future Meeting Dates

The Board meeting dates for November and December were discussed. It was proposed to change these dates to November 17th and December 15th. The executive director would check availability of a Boardroom.

XIII. Call to the Public

Catherine Nemick addressed the Board and advised of the AZSOMA conference on October 3, 2004. She also advised the Board of the upcoming NCCAOM, ACAOM and FAMORA meeting in Las Vegas on October 21st 22nd and 23rd.

Ms. Price suggested a letter be sent to the mayor of Phoenix and the Governor to recognize Acupuncture and Oriental Medicine day.

XIV. Adjournment

Mr. Nichols moved to adjourn the meeting at 2:40 p.m. Dr. Quintana seconded the motion that passed unanimously. The **next meeting** of the Board will convene at the Occupational Licensing Building, 1400 W. Washington, Basement Conference Room B-1, Phoenix, Arizona, 1:00 PM, on **September 22, 2004**.

Respectfully Submitted,

Allen Imig
Executive Director